

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CLINT CORNELL GURLEY, ET AL.

V.

CITY OF OVERTON, ET AL.

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CASE NO. 6:06-CV-298

**ORDER ADOPTING REPORT AND
RECOMMENDATIONS OF MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations has been presented for consideration (Doc. No. 21).

The parties did not file any objections to the Report and Recommendations. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings of this Court. Accordingly, it is

ORDERED that Defendants' First Amended Motion to Dismiss for Plaintiffs' Failure to State a Claim (Doc. No. 20) is **GRANTED**. It is further **ORDERED** that Plaintiffs' causes of action, which have been consolidated into Civil Action No. 6:06-cv-298, are **DISMISSED** with prejudice.

So ORDERED and SIGNED this 4th day of June, 2007.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**